

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2021-03745

XXXXXXXXXXXXXXXXXX

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

He be reimbursed \$29,000 for the cost of moving his family and household goods (HHG) in conjunction with his remote assignment.

APPLICANT'S CONTENTIONS

Since 8 Mar 21, he and his family have experienced extreme hardship due to his recent permanent change of station (PCS) assignment. He was assigned to Joint Base Lewis McChord (JBLM), WA, when selected for a permanent change of station (PCS) assignment to Incirlik AB, Turkey with a follow-on assignment to Ramstein, AB, GE. He acted on the information and counseling provided by their transportation management office (TMO), resulting in expenses exceeding \$29,000. The expenses were for moving his family to Ohio for the duration of his remote tour to Turkey. He is now being forced to decide between having this debt paid or choosing his follow-on assignment. He earned both and is requesting assistance to ensure he is made whole. Had he been properly informed, this situation could have been avoided.

The applicant provides a timeline which states he received notification of his assignment on 8 Mar 21. On 17 May 21, he and his spouse went to the TMO and was counseled the government would move his family's HHG to Ohio and then to Ramstein AB since his dependents were listed on his orders. On 8 Jun 21, two weeks prior to the pick-up of his HHG, TMO advised there were no government contracted companies available that could pick-up his HHG in Jun and that they needed to do a do it yourself (DITY) move or a personally procured movement (PPM). They hired a moving company with an estimated cost of \$9,356.30. On 11 Jun 21, they applied for a PPM advance and received \$7,597.57 in advance to assist with the cost. On 26 Jun 21, the moving company canceled the pick-up and the contract was canceled. On that same day, they hired another moving company with an estimate of \$18,473.36. On 2 Jul 21, their HHG was picked up and they were told the move would now cost \$28,758.20. Upon arrival at Incirlik AB, he was informed his orders lacked the statement his family would travel to Ohio at government expense. He then visited the force support squadron (FSS) for an amendment to his orders. On 30 Aug 21, he was explained the reason he had not received the amendment and that he should process an exception to policy to AFPC. He provides receipts and weigh tickets for HHG shipment.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a master sergeant (E-7) in the Air Force.

AF Form 899, *Request and Authorization for Permanent Change of Station-Military*, Special Order, dated 5 May 21, reassigned the applicant PCS.

On 8 Mar 21, the applicant applied for a follow-on assignment, with Ramstein AB, GE as his first choice.

On 21 Apr 21, the applicant's follow-on assignment to Ramstein AB, GE with 31 Aug 02 report not later than date (RNLTD) was approved.

The applicant provides a memorandum from his base personnel property shipping office (PPSO) dated 28 Jun 21, stating authorized movement from WA to OH (Designated Location).

The applicant is currently assigned to Ramstein AB, GE, with a date arrived station of 15 Aug 22.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

APPLICABLE AUTHORITY/GUIDANCE

DAFI 36-2110, *Total Force Assignments*, Attachment 3, paragraph A3.1. The Home-Basing (HB) and Follow-on (FO) Assignment programs were established to reduce PCS costs and increase family stability. In exchange for advance assignment consideration, airmen participating in the HB/FO programs must agree not to use their allowances to relocate their dependents and/or HHG to a place other than the FO location. Any claim against the government for relocation of dependents or shipment of HHG to other than the FO location results in cancellation of the HB/FO.

AIR FORCE EVALUATION

AFPC/DP3AM recommends denial. DAFI 36-2110, Attachment 3, paragraph A3.3, and the follow-on agreement the applicant completed when applying for his follow-on assignment prohibits this movement. In exchange for advance assignment consideration, airmen participating in HB/FO programs must agree not to use their allowances to relocate their dependents and/or HHG to a place other than the follow-on location. The applicant agreed to not relocate his family, except to the follow-on location, when applying for his follow-on assignment, but that he may move them to any desired location at personal expense.

The HB/FO application shows on 8 Mar 21, the applicant applied for his follow-on assignment, with Ramstein AB as his first choice. He checked he would not move his dependents at government expense, except to the follow-on location but may move them to any desired location at personal expense. He also checked he would not ship HHG at government expense to any location other than the follow-on location.

The complete advisory opinion is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 28 Sep 22 for comment (Exhibit D) but has received no response.

FINDINGS AND CONCLUSION

1. The application was timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.

3. After reviewing all Exhibits, the Board concludes the applicant is the victim of an error or injustice. While the Board notes the recommendation of AFPC/DP3AM against correcting the record, the Board finds a preponderance of the evidence substantiates the applicant's contentions. In this respect, the Board recognizes DAFI 36-2110 precludes airmen with FO/HB assignment to relocate dependents or ship HHG at government expense, except to the FO/HB location. The Board also recognizes the applicant endorsed his FO/HB application dated 8 Mar 21, he would not relocate his dependents or ship HHG at government expense, except to the follow-on location. However, the Board finds the memorandum from his PPSO dated 28 Jun 21 authorizing movement from WA to OH for designated location of dependents sufficient to conclude the applicant was miscounseled. Based on the information provided by the PPSO, the Board concludes it was reasonable for the applicant to conclude he was entitled to both the designated location movement of dependents/shipment of HHG and his FO assignment. Therefore, the Board recommends correcting the applicant's records as indicated below.

RECOMMENDATION

The pertinent military records of the Department of the Air Force relating to APPLICANT be corrected to show:

- a. His AF Form 899, *Request and Authorization for Permanent Change of Station-Military*, Special Order, dated 5 May 21, be amended to show, Item 13, Dependent Travel, reflects, Block E, Travel is Authorized to a Designated Place. Item 22, *Remarks*, reflect designated location and HHG shipment from Graham, WA to Westerville, OH is authorized.
- b. His assignment reason in the military personnel data system (MilPDS) reflect consecutive overseas tour standard tour volunteer, instead of follow-on/home basing assignment.
- c. He be reimbursed for the cost of the relocation of his dependents and shipment of HHG in accordance with the Joint Travel Regulation, para 051502. If the authorized JTR weight allowance is exceeded, he is liable for the excess costs.

CERTIFICATION

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2021-03745 in Executive Session on 11 Oct 22 and 28 Oct 22:

, Panel Chair
, Panel Member
, Panel Member

All members voted to correct the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 5 Oct 21.
Exhibit B: Documentary evidence, including relevant excerpts from official records.
Exhibit C: Advisory Opinion, AFPC/DP3AM, w/atchs, dated 28 Sep 22.
Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 28 Sep 22.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

X

Board Operations Manager, AFBCMR